

REMARKS

With this amendment, the pending claims are claims 16-25 and 27-31. In the Office Action, the Examiner stated that Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. § 120. The Examiner rejected claim 27 under 35 U.S.C. § 112, ¶ 1 as failing to comply with the written description and enablement requirements. The Examiner rejected claim 26 under 35 U.S.C. § 112, ¶ 2 as being indefinite. The Examiner allowed claims 16-25 and 28, and stated that claim 26 would be allowable if rewritten to overcome the rejection under § 112. Applicant wishes to thank the Examiner for allowing most of the claims.

Priority Under 35 U.S.C. § 120

In the Office Action, with respect to claiming priority under § 120, the Examiner stated that “the filing date of this application is just under 30 months from the foreign priority date but there is no evidence of record that Chapter II was requested in the parent PCT/EP99/09157 in order to maintain pendency for 30 months from the foreign priority date (see MPEP 1895).” (*Office Action*, p. 2.) Applicant herewith submits a copy of the Chapter II Demand/Election that was filed in Application No. PCT/EP99/09157 in the European Patent Office to show that Chapter II was in fact filed in the parent PCT case. With this evidence, Applicant submits that it has complied with all conditions for receiving the benefit of an earlier filing date under § 120.

Claim 27: 35 U.S.C. § 112

Again, the Examiner rejected claim 27 under § 112, ¶ 1 as failing to comply with the written description and enablement requirements. With respect to the written

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description rejection, the Examiner stated that the original disclosure recited a method for increasing the load capacity of a tire that requires the step of "limiting the radial extension inwards of the ends of the reinforcing structure so that they do not extend beyond the radially innermost profile of the bead cores and as not requiring eliminating the inflection points along the extension of the carcass reinforcing structure neutral profile (see for example original claims 14 and 15), which is not consistent with new claim 27." (*Office Action*, p. 3.) With respect to the enablement requirement, the Examiner stated that the lack of written description also resulted in a lack of enablement. (*Id.*)

As shown above, Applicant has amended claim 27 to include, *inter alia*, "limiting the radial extension inwards of the ends of said reinforcing structure so that they do not extend beyond the radially innermost profile of said annular reinforcing cores." No new matter has been added by this amendment. Applicant submits that amended claim 27 overcomes the Examiner's written description and enablement rejections of this claim.

Claim 26: 35 U.S.C. § 112

The Examiner rejected claim 26 under § 112, ¶ 2 as being indefinite. As shown above, Applicant has canceled this claim, thereby mooting this rejection.

New Claims 29-31

With this amendment, Applicant adds claims 29-31. Applicant submits that the addition of these claims does not add new matter. Support for new claims 29-31 may be found in the specification at, for example, page 15, lines 1-10; page 6, lines 13-15; and page 5, lines 4-5, respectively.

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Claims 16-25 and 27-31 Are Allowable

Again, the Examiner allowed claims 16-25 and 28. Applicant submits that claim 27 is now in condition for allowance because Applicant believes the amendments to this claim overcome the written description and enablement rejections thereof. Applicant further submits that new claims 29-31, which each depend from claim 16, are also in condition for allowance for at least the same reasons that claim 16 is allowable.

Attorney Docket Number

Please note that the attorney docket number for this case has changed from 07040.0090 to 05999.0090.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: December 15, 2003

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Attachment: Copy of the Chapter II Demand filed in
Application No. PCT/EP99/09157

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